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I Set Out to Build the Next Library of Alexandria. Now I Wonder: Will There Be Libraries in 25 Years?

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BY **BREWSTER KAHLE** OCTOBER 22, 2021 1:21 PM EDT

IDEAS

Kahle, Founder and Digital Librarian of the Internet Archive. Member, National Academy of Engineering, American Academy of Arts and Sciences, and the Internet Hall of Fame

When I started the Internet Archive 25 years ago, I focused our non

When I started the Internet Archive 25 years ago, I focused our non-profit library on digital collections: preserving web pages, archiving television news, and digitizing books. The Internet Archive was seen as innovative and unusual. Now all libraries are increasingly electronic, and necessarily so. To fight disinformation, to serve readers during the pandemic, and to be relevant to 21st-century learners, libraries must become digital.

But just as the Web increased people's access to information exponentially, an opposite trend has evolved. Global media corporations—emboldened by the expansive copyright laws they helped craft and the emerging technology that reaches right into our reading devices—are exerting absolute control over digital information. These two conflicting forces—towards unfettered availability and completely walled access to information—have defined the last 25 years of the Internet. How we handle this ongoing clash will define our civic discourse in the next 25 years. If we fail to forge the right path, publishers' business models could eliminate one of the great tools for democratizing society: our independent libraries.

These are not small mom-and-pop publishers: a handful of publishers dominate all books sales and distribution including trade books, ebooks, and text books. Right now, these corporate publishers are squeezing libraries in ways that may render it impossible for any library to own digital texts in five years, let alone 25. Soon, librarians will be reduced to customer service reps for a Netflix-like rental catalog of bestsellers. If that comes to pass, you might as well replace your library card with a credit card. That's what these billion-dollar-publishers are pushing.

More from TIME

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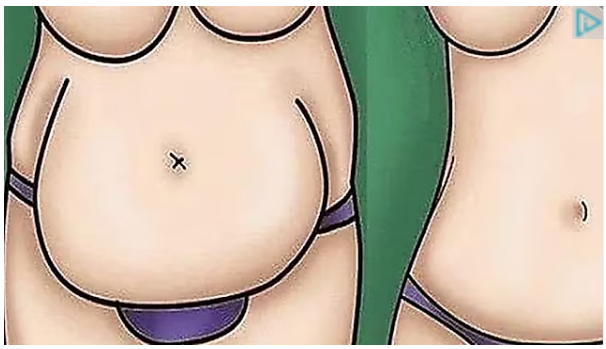
The libraries I grew up with would buy books, preserve them, and lend them for free to their patrons. If my library did not have a particular book, then it would borrow a copy from another library for me. In the shift from print to digital, many commercial publishers are declaring each of these activities illegal: they refuse libraries the right to buy ebooks, preserve ebooks, or lend ebooks. They demand that libraries license ebooks for a limited time or for limited uses at exorbitant prices, and some publishers refuse to license audiobooks or ebooks to libraries at all, making those digital works unavailable to hundreds of millions of library patrons.



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Although we're best known for the Wayback Machine, a historical archive of the World Wide Web, the Internet Archive also buys ebooks from the few independent publishers that will sell, *really sell*, ebooks to us. With these ebooks, we lend them to one reader at a time, protected with the same technologies that publishers use to protect their ebooks. The Internet Archive

also digitizes print books that were purchased or donated. Similarly, we lend them to one reader at a time, following a practice employed by hundreds of libraries over the last decade called "controlled digital lending."

Last year, four of the biggest commercial publishers in the world sued the Internet Archive to stop this longstanding library practice of controlled lending of scanned books. The publishers filed their lawsuit early in the pandemic, when public and school libraries were closed. In March 2020, more than one hundred shuttered libraries signed a statement of support asking that the Internet Archive do something to meet the extraordinary circumstances of the moment. We responded as any library would: making our digitized books available, without waitlists, to help teachers, parents, and students stranded without books. This emergency measure ended two weeks before the intended 14-week period.

The lawsuit demands that the Internet Archive destroy 1.4 million digitized books, books we legally acquired and scanned in cooperation with dozens of library partners. If the publishers win this lawsuit, then every instance of online reading would require the permission and license of a publisher. It would give publishers unprecedented control over what we can read and when, as well as troves of data about our reading habits.

Publishers' bullying tactics have stirred lawmakers in Maryland, New York, Massachusetts, and Rhode Island to draft laws requiring that publishers treat libraries fairly. Maryland's legislature passed the law unanimously. In those states, if an ebook is licensed to consumers, publishers will be required by law to license it to libraries on reasonable terms. But lobbyists for the publishing industry claim even these laws are unconstitutional. This is a dangerous state of affairs. Libraries should be free to buy, preserve, and lend all books regardless of the format.

Suing libraries is not a new tactic for these billion-dollar corporations and their surrogates: Georgia State University's law library battled a copyright lawsuit for 12 years; HathiTrust Digital Library battled the Author's Guild for five

years. In each case, the library organization won, but it took millions of dollars that libraries can ill-afford.

Libraries spend billions of dollars on publishers' products, supporting authors, illustrators, and designers. If libraries become mere customer service departments for publisher's pre-packaged product lines, the role that librarians play in highlighting marginalized voices, providing information to the disadvantaged, and preserving cultural memory independent of those in power will be lost.

As we shift from print to digital, we can and must support institutions and practices that were refined over hundreds of years starting with selling ebooks to readers and libraries.

So if we all handle this next phase of the Internet well, I believe the answer is, yes, there will be libraries in 25 years, many libraries—and many publishers, many booksellers, millions of compensated authors, and a society in which everyone will read good books.

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